

Mr. Stanley S. Kresge
OFFICE

RE: Sunday Selling

Dear Mr. Kresge:

If I were to ask to explain the Kresge Company's attitude toward Sunday selling, I would have to say that, traditionally and currently, we are opposed to doing business on Sunday. Our reasons relate not only to our personal desire to keep the Sabbath Holy, but relate also to our belief that a common day of rest and relaxation benefits our employees and the general public.

Our opposition to Sunday openings is being expressed by legislative efforts in the several states seeking to uphold the state statutes limiting or forbidding Sunday openings and they relate to our industry negotiations to seek mutual agreements on closing.

A typical example of our legislative and legal efforts may be seen at the present time in a law suit which is now in the Supreme Court of the United States.

Two Guys from Harrison Allentown, Inc. versus Paul McGinley,
District Attorney, County of Lehigh, Pennsylvania.

The Kresge Company is joined here with other Pennsylvania retailers in attempting to establish the constitutionality of the state law prohibiting Sunday sales. If the state law is declared constitutional, there is reasonable grounds to hope that other states will adopt comparable legislation. We are hopeful that this can be accomplished.

In the meanwhile, the Kresge Company has reluctantly opened stores on Sunday but only in those few instances where competitive stores in the immediate vicinity are open and the effect on our business is such that any different policy might properly be described as management failure or misfeasance of duty by our shareholders. In those few instances in opening our stores, it is done with the hope that our bargaining position will improve and we may work toward Sunday closings with all the merchants in the trading area.

There is, of course, a very definite competitive advantage to a store if it is the sole store that is open on Sunday in the shopping area. There is no competitive advantage to that store or any store where all competing stores remain open. Particularly in the east and midwest there is hope that we may limit narrowly the locations where we must remain open to maintain profitable operations.

In the far west and the southwest the situation is presently not so hopeful since by custom and general public attitudes Sunday selling is the standard mode of operation. Even here, of course, our attitude is not changed. We still prefer to remain closed. We will continue to join in the legislative effort to enact Sunday closing laws. We will continue to work through trade associations or through direct negotiations to secure agreements on general closings.